

The Committee on Education filed an adverse report on House Bill No. 55.

# REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, January 26, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 80, A bill to be entitled "An Act to amend Section 28, as heretofore amended by Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature; of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas' (and for other purposes), etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

TOWNSEND, Acting Chairman.

## FOURTEENTH DAY

(Monday, January 30, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Colson.
Adamson.	Coombes.
Aikin.	Cowley.
Alexander.	Crossley.
Alsup.	Daniel.
Anderson	Davidson.
of Bexar.	Dean.
Anderson	Devall.
of Johnson.	Dunlap.
Baker.	Dunagan.
Barrett.	Dwyer.
Barron.	Fain.
Beck.	Few.
Bedford.	Fisher.
Bourne.	Ford.
Bradley.	Fuchs.
Burns.	Glass.
Butler.	Golson.
Calvert.	Good.
Camp.	Goodman.
Canon.	Graves.
Cathey.	Greathouse.
Caven.	Griffith.
Chastain.	Haag.
Clayton.	Hankamer.

Harman.	Munson.
Harris.	Nicholson.
Harrison.	Palmer.
Hartzog.	Parkhouse.
Head.	Pavlica.
Hester.	Pope.
Hicks.	Purveyer.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.
Holland.	Reed of Bowie.
Holloway.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Riddle.
Hughes.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Jefferson.	Rollins.
Jones of Atascosa.	Ross.
Jones of Runnels.	Russell.
Jones of Shelby.	Savage.
Kayton.	Scarborough.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Laird.	Shults.
Latham.	Smith.
Lemens.	Stanfield.
Lindsey.	Steward.
Long.	Sullivant.
Lotief.	Tarwater.
Magee.	Tennyson.
Mackay.	Thomas.
Mathis.	Tillery.
McClain.	Townsend.
McCullough.	Turlington.
McDougald.	Van Zandt.
McGregor.	Vaughan.
McKee.	Wagstaff.
Merritt.	Walker.
Metcalfe.	Weinert.
Mitcham.	Wells.
Moffett.	West.
Moore.	Winningham.
Morrison.	Wood.
Morse.	Young.

## Absent—Excused

Duvall.	Johnson
Engelhard.	of Dimmit.
Hunt.	Leonard.
Johnson	Patterson.
of Anderson.	Stinson.
	Stovall.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Johnson of Anderson for today, on motion of Mr. Devall.

Mr. Leonard for today, on motion of Mr. Glass.

The following Members were granted leaves of absence on account of illness:

Mr. Patterson for today on account of illness in his family, on motion of Mr. Morse.

Mr. Johnson of Dimmit for today, on motion of Mr. Ratliff.

Mr. Engelhard for today, on motion of Mr. Rogers of Ochiltree.

Mr. Stovall for today, on motion of Mr. Few.

Mr. Hunt for today, on motion of Mr. Good.

Mr. Stinson for today on account of illness in his family, on motion of Mr. Savage.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Reader:

H. B. No. 284, A bill to be entitled "An Act amending Article 5209, Revised Civil Statutes of 1925, providing for exceptions to the statutes regulating employment agents as defined in Chapter 13, Article 5208, Revised Civil Statutes; and declaring an emergency."

Referred to Committee on Labor.

By Mr. Holland:

H. B. No. 285, A bill to be entitled "An Act amending Article 3537, Revised Civil Statutes of Texas of 1925, so as to define more fully the requirements of the annual accounts of executors and administrators; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 286, A bill to be entitled "An Act amending Article 4122, Revised Civil Statutes of Texas of 1925, adding the provision that non-residents of this State, except in an ancillary proceedings, shall not be appointed guardians; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 287, A bill to be entitled "An Act amending Article 3471, Revised Civil Statutes of Texas of 1925, so as to provide citation on the resignation of an executor or administrator shall be served by posting copies thereof for a period of ten days; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 288, A bill to be entitled "An Act to amend Article 2234, Title 42, Chapter 10, of the Revised Civil Statutes of 1925 of the State of Texas, so as to provide for a new trial on the ground of misconduct of jury or officer in charge of jury, or because of any communication made to jury, or that jury received other testimony, when the court, upon hearing evidence thereof from the jury, or others, in open court, finds the same material, and that the jury were influenced thereby, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 289, A bill to be entitled "An Act amending Article 3466, Revised Civil Statutes of Texas of 1925, so as to provide that an executor or administrator may be removed without notice when notices or other process of court can not be served upon them on account of their whereabouts being unknown; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 290, A bill to be entitled "An Act to amend Article 4296, Revised Civil Statutes of Texas of 1925, so as to provide that guardianships may be closed and the guardian discharged when there is no further property or estate in the guardianship, and to provide that in cases where the guardianship is closed by reason of the fact that there is no further property or estate remaining in the guardianship, that citation shall be issued to all persons interested in the guardianship, which citation shall be served by posting for ten days; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Daniel:

H. B. No. 291, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a Member of the Congress of the United States from each District, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Congressional and Legislative Districts.

By Mr. Lemens and Mr. Anderson of Johnson:

H. B. No. 292, A bill to be entitled "An Act amending Article 10, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, Article 6675-a-10, Revised Civil Statutes, 1925 (relating to apportionment of funds—weekly deposit by county tax collector of net collections to be apportioned to respective city street, or county road and bridge fund, where collected, etc.); and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Russell:

H. B. No. 293, A bill to be entitled "An Act providing that it shall be unlawful to use a seine or net in the waters of the Counties of Morris or Titus, except a minnow seine, and except a seine or net of not less than two-inch mesh, which may be used at any time except during the months of March and April; and providing that black bass and crappie of certain sizes shall not be retained; providing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Sullivant, Mr. Van Zandt, Mr. Wood, and Mr. McKee:

H. B. No. 294, A bill to be entitled "An Act to amend Article 2029, Chapter 3, of the Revised Civil Statutes of 1925 (relating to service of citation on officers or agents of associations, etc., in suits against such associations, corporations, etc.), and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bradley and Mr. Holland:

H. B. No. 295, A bill to be entitled "An Act amending Article 5526, of

the Revised Civil Statutes of 1925, so as to provide that actions on open accounts shall be commenced and prosecuted within two years from last voluntary payment on such account, and declaring an emergency."

Referred to Committee on Judiciary.

By Mrs. Hughes:

H. B. No. 296, A bill to be entitled "An Act to amend Article 1685, of the Revised Civil Statutes of Texas, 1925, providing for quarterly and annual reports of the county auditor to the commissioners court, and district judge, or judges, of his county; providing for contents of said report; providing for the time of filing, and declaring an emergency."

Referred to Committee on Counties.

By Mr. McClain:

H. B. No. 297, A bill to be entitled "An Act to amend Article 2776, Chapter 13, Revised Civil Statutes of Texas, 1925; providing for the pay of election judges, for trustee elections of independent school districts, to be paid out of the funds of the independent school district; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Alsup, Mr. Thomas, Mr. Alexander, and Mr. Moffett:

H. B. No. 298, A bill to be entitled "An Act repealing Chapter 278 of House Bill No. 539 of the Acts of the Regular Session of the Forty-second Legislature (relating to farming industry), and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Palmer and Mr. Colson:

H. B. No. 299, A bill to be entitled "An Act requiring licenses for the operation, maintenance, opening, or establishment of stores in this State; prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the Comptroller of Public Accounts in connection therewith, and prescribing penalties for the violation thereof, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Dwyer:

H. B. No. 300, A bill to be entitled "An Act granting a moratorium against the foreclosures of mortgages and judicial liens upon all homesteads in the State of Texas, and suspending all foreclosures on both urban and rural homesteads for a period of one year from the passage of this Act, and providing that this Act shall not inure to the benefit of home owners who are financially able to pay; and providing court procedure to ascertain such financial ability; and providing for injunction and other process in courts of competent jurisdiction to stay attempted foreclosures during the suspended period; also providing for the staying of the running of the statute of limitation during the suspended period, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Metcalfe:

H. B. No. 301, A bill to be entitled "An Act to amend Article 2168-a, of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, page 17, Chapter 7, of Section 1, providing that in all suits, whether civil or criminal, or in matters of probate, pending in any court of this State at any time the Legislature is in session, it shall be sufficient grounds for continuance of such cause, if it shall appear to the court, by affidavit, that any party applying for such continuance, or any attorney for any party to such cause is a Member of either branch of the Legislature and is in actual attendance on a session of the same, and that the presence of party or attorney is necessary to a fair and proper trial of the cause; providing for corroboration of said Member's affidavit in case the attorney for any party is a Member of the Legislature; and providing that such continuance shall not be charged against the defendant, excepting from the provisions of this Article, Members of the Legislature who are attorneys and who have any partner not a Member of the Legislature; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Bradley:

H. B. No. 302, A bill to be entitled "An Act to amend Article 3202, Chap-

ter 3, Title 51, of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of 1931 of the Forty-second Legislature, Regular Session, page 191, Chapter 112, by adding Articles 3202-c, 3202-d, 3202-e, 3202-f; providing that the Deaf and Dumb Asylum shall be known as the Texas School for the Deaf; that such School shall be classed and conducted as an educational institution; providing that it shall receive no revenue from the Public School Fund; and that it shall be under the control of the State Board of Education as to educational work and as to the appointment of a superintendent, but under the supervision and control of the Board of Control otherwise; fixing the term of office of the superintendent at four years, etc.; and declaring an emergency."

Referred to Committee on Eleemosynary and Reformatory Institutions.

By Mr. Ratliff:

H. B. No. 303, A bill to be entitled "An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended or repealed or re-enacted, and which were operating and carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members; and providing that local mutual aids, operating under the terms of Chapter 274, Acts of 1929, Forty-first Legislature, page 563, may comply with the terms of this Act; and revoking, repealing, and cancelling the charters of such corporations except local mutual aids failing to comply with this Act, and forever prohibiting such corporations from doing business in this State, and providing for their liquidation; and revoking, repealing, and cancelling the charters of all mutual relief or benefit associations exempt from the insurance laws of this State under the provisions of Article 2971-a, Revised Statutes of 1879, and Article 3096 and 3096-w, of the Revised Statutes of 1895, failing to comply with the terms of this Act, and forever prohibiting said associations from doing business in this State, and providing

for the liquidation of same; and excepting certain insurance companies and associations from the provisions of this Act., etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

#### BILLS ORDERED PRINTED ON MINORITY REPORT

On motion of Mr. Tillery, House Bill No. 48, reported adversely, with a minority favorable report, was ordered printed.

On motion of Mr. McClain, House Bill No. 55, reported adversely, with a minority favorable report, was ordered printed.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Rogers of Ochiltree, House Bill No. 38 was ordered not printed.

#### BILL RE-REFERRED

On motion of Mr. Barron, House Bill No. 145 was withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on State Affairs.

#### TO GRANT CENTRAL SUPPLY CO. PERMISSION TO SUE THE STATE

Mr. Reed of Dallas offered the following resolution:

H. C. R. No. 13, To grant Central Supply Co. permission to sue the State.

Whereas, On or about the eighteenth day of July, A. D. 1932, on Highway No. 40 West, between the main Caney Creek bridge and the Caney Creek relief bridge near Athens, Texas, an accident occurred between a State Highway Department truck, No. 3788, license No. X1-268, and a Tudor Ford Sedan, license No. 292-136, driven by George T. Weems, salesman for the Central Supply Company, Incorporated, Dallas, Texas; and

Whereas, Considerable damage was done to the Tudor Sedan owned by the Central Supply Company, Incorporated, Dallas, Texas; and

Whereas, The Central Supply Company, Incorporated, Dallas, Texas, have never been compensated by the State for damages done to its automobile; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Central Supply House, Incorporated, Dallas, Texas, be, and is hereby, granted permission to bring suit against the State of Texas in a court of competent jurisdiction in order to determine what compensation, if any, they are entitled to receive by reason of such damage, and that in case such suit be filed, service of citation or other necessary process may be had upon the Highway Commission and the Attorney General, with the same force and effect as made and provided in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

#### RELATIVE TO PAY OF CERTAIN EMPLOYEES

Mr. Mathis offered the following resolution:

Whereas, On a former day of this Session of the Legislature, there was a resolution passed in this House, the purpose of which was to set the salaries of the employes of the House; and

Whereas, The stenographers are now receiving the sum of \$4 per day, and the committee clerks are receiving the sum of \$4 per day, each, and the assistant sergeants-at-arms are receiving only the sum of \$3 per day, each; and

Whereas, The assistant sergeants-at-arms of the House have to remain on the floor of the Hall from 8 a. m. until 5 p. m. to look after and take care of the Hall of the House; now, therefore, be it

Resolved by the House of the Forty-third Legislature, That the assistant sergeants-at-arms on the main floor of the Hall shall hereafter receive the same compensation for their services as the committee clerks are now receiving, which is \$4 per day, each.

The resolution was read second time, and was adopted.

#### RELATIVE TO THE VIOLATION OF THE NEPOTISM LAW

Mr. Lotief offered the following resolution:

Whereas, Article 434, of the Penal Code of the State of Texas, 1925, prohibits the evasion of the Nepotism Law, by trading between the heads

of the Departments of our State Government, in order to evade said law; and

Whereas, Rumors are abroad that such Statute is being evaded and that such trading now exists among the various departmental heads; now, therefore, be it

Resolved, That the House of Representatives requests its Committee on Appropriations to make investigation as to the truth of such trading when making appropriations for the various State Departments.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

#### Yeas—114

Adamson.	Hester.
Aikin.	Hicks.
Alexander.	Hill of Webb.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holland.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Barrett.	Hyder.
Beck.	James.
Bourne.	Jefferson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Runnels.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Lemens.
Caven.	Lindsey.
Chastain.	Long.
Clayton.	Lotief.
Colson.	Magee.
Coombes.	Mackay.
Cowley.	Mathis.
Crossley.	McClain.
Davidson.	McCullough.
Dean.	McDougald.
Dunagan.	McGregor.
Dwyer.	McKee.
Fain.	Merritt.
Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Goodman.	Munson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Haag.	Pavlica.
Hankamer.	Pope.
Hartzog.	Purveyar.
Head.	Ramsey.

Ratliff.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Van Zandt.
Rogers	Vaughan.
of Ochiltree.	Wagstaff.
Rollins.	Walker.
Russell.	Weinert.
Savage.	Wells.
Shannon.	West.
Shults.	Winningham.
Smith.	Wood.
Stanfield.	Young.
Steward.	

#### Absent

Barron.	Jackson.
Bedford.	Laird.
Daniel.	Latham.
Devall.	Metcalfe.
Dunlap.	Nicholson.
Few.	Ray.
Good.	Reader.
Graves.	Riddle.
Harman.	Ross.
Harris.	Scarborough.
Harrison.	Scott.
Hill of Brazoria.	Tillery.
Holloway.	

#### Absent—Excused

Duvall.	Leonard.
Engelhard.	Patterson.
Hunt.	Stinson.
Johnson	Stovall.
of Anderson.	Sullivant.
Johnson	
of Dimmit.	

#### RELATIVE TO THE CREATION OF A LEGISLATIVE BUREAU

Mr. McKee offered the following resolution:

H. C. R. No. 14, Relative to the creation of a Legislative Bureau to pass on and correct all bills before final passage in the House where they did not originate.

Whereas, A great many bills or statutes are passed at every session of the Legislature, and a certain proportion of which are later declared unconstitutional for various and sundry reasons; and

Whereas, There is no remedy at the present time to assure the constitutionality and legality of measures passed by the Legislature; therefore, be it

Resolved by the House of Representatives, the Senate concurring,

That there is hereby created a Legislative Bureau, to consist of the Attorney General or one of his assistants and two Members of the Legislature, one to be selected by the presiding officer of each House; and be it further

Resolved, That all legislative matters intended to have the effect of law shall be referred to this Bureau, before advancement to third reading by the House where it did not originate, for examination, correction, etc., as to its constitutionality and legality.

The resolution was read second time, and was referred, by the Speaker, to the Committee on Rules.

#### HOUSE BILL NO. 51 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, an unfinished business, on its passage to engrossment,

H. B. No. 51, A bill to be entitled "An Act providing that the Board of Pardons and Paroles, created by Chapter 45, Acts of First Called Session, Forty-first Legislature, shall hereafter sit and have their offices at Huntsville, Walker County, Texas; and declaring an emergency";

The bill having been read second time on last Friday, with amendment by Mr. Sullivant, substitute amendment by Mr. Morse for the amendment by Mr. Sullivant, and motion by Mr. Burns to table the substitute amendment, pending.

Question recurring on the motion to table the substitute amendment, it prevailed by the following vote:

#### Yeas—91

Mr. Speaker.	Colson.
Adamson.	Coombes.
Aikin.	Cowley.
Alexander.	Daniel.
Alsup.	Davidson.
Anderson	Dean.
of Bexar.	Dunagan.
Anderson	Dwyer.
of Johnson.	Fain.
Barrett.	Few.
Beck.	Fuchs.
Burns.	Good.
Butler.	Greathouse.
Canon.	Griffith.
Cathey.	Haag.
Caven.	Hankamer.
Chastain.	Harman.
Clayton.	Harris.

Hartzog.	Pope.
Hester.	Puryear.
Hicks.	Ramsey.
Hill of Brazoria.	Ratliff.
Hodges.	Ray.
Holekamp.	Reed of Bowie.
Holloway.	Riddle.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hyder.	of Ochiltree.
Jefferson.	Ross.
Jones of Runnels.	Russell.
Jones of Shelby.	Scarborough.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Laird.	Shults.
Latham.	Smith.
Lindsey.	Stanfield.
Lotief.	Steward.
Magee.	Tennyson.
McClain.	Thomas.
McCullough.	Tillery.
Metcalf.	Turlington.
Mitcham.	Vaughan.
Moffett.	Walker.
Morrison.	Winningham.
Palmer.	Wood.
Pavlica.	Young.

#### Nays—34

Bourne.	Mackay.
Bradley.	Mathis.
Crossley.	McDougald.
Devall.	McKee.
Fisher.	Moore.
Ford.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Goodman.	Parkhouse.
Harrison.	Reed of Dallas.
Head.	Rollins.
Hill of Webb.	Savage.
Holland.	Sullivant.
James.	Van Zandt.
Jones of Atascosa.	Wagstaff.
Lemens.	Weinert.
Long.	Wells.

#### Absent

Baker.	Kayton.
Barron.	McGregor.
Bedford.	Merritt.
Calvert.	Reader.
Camp.	Renfro.
Dunlap.	Tarwater.
Graves.	Townsend.
Jackson.	West.

#### Absent—Excused

Duvall.	Johnson
Engelhard.	of Dimmit.
Hunt.	Leonard.
Johnson	Patterson.
of Anderson.	Stinson.
	Stovall.

Mr. Sullivant withdrew the pending amendment.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 51 by striking out Section 1, and insert in lieu thereof a new Section 1, to read as follows:

"Section 1. That Chapter 45, Acts of First Called Session, Forty-first Legislature, creating the Board of Pardons and Paroles be, and the same is hereby, repealed"; amend caption accordingly.

Mr. Burns raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Burns moved the previous question on the engrossment of the bill, and the main question was ordered.

House Bill No. 51 was then passed to engrossment by the following vote:

## Yeas—75

Adamson.	Hyder.
Aikin.	Jefferson.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kayton.
of Bexar.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Barrett.	Laird.
Beck.	Latham.
Bradley.	Lindsey.
Burns.	Lotief.
Butler.	McClain.
Calvert.	Metcalf.
Canon.	Mitcham.
Cathey.	Moore.
Caven.	Morrison.
Clayton.	Morse.
Colson.	Pavlica.
Cowley.	Ramsey.
Daniel.	Reed of Bowie.
Davidson.	Reed of Dallas.
Dunagan.	Renfro.
Dwyer.	Rogers of Hunt.
Fain.	Rogers
Few.	of Ochiltree.
Glass.	Rollins.
Greathouse.	Ross.
Haag.	Russell.
Hankamer.	Scarborough.
Harris.	Scott.
Hester.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Smith.
Holland.	Steward.
Hughes.	Tarwater.

Tennyson.  
Thomas.  
Tillery.  
Turlington.

Wagstaff.  
Wells.  
Winningham.

## Nays—51

Anderson	Magee.
of Johnson.	Mackay.
Barron.	Mathis.
Bourne.	McDougald.
Camp.	McGregor.
Chastain.	Merritt.
Crossley.	Moffett.
Dean.	Munson.
Devall.	Nicholson.
Fisher.	Parkhouse.
Ford.	Pope.
Fuchs.	Puryear.
Golson.	Ratliff.
Goodman.	Ray.
Griffith.	Reader.
Harrison.	Roberts.
Hartzog.	Savage.
Head.	Stanfield.
Hicks.	Sullivant.
Hill of Webb.	Townsend.
Holekamp.	Van Zandt.
Hoskins.	Vaughan.
Huddleston.	Walker.
James.	West.
Jones of Atascosa.	Wood.
Long.	Young.

## Absent

Bedford.	Jackson.
Coombes.	Lemens.
Dunlap.	McCullough.
Good.	McKee.
Graves.	Palmer.
Harman.	Riddle.
Holloway.	Weinert.

## Absent—Excused

Duvall.	Johnson
Engelhard.	of Dimmit.
Hunt.	Leonard.
Johnson	Patterson.
of Anderson.	Stinson.
	Stovall.

## MOTION TO TAKE UP HOUSE BILL NO. 51

Mr. Burns moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 51 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—89

Adamson.	Alexander.
Aikin.	Alsup.



Anderson of Bexar.	Kayton.
Baker.	Kyle of Hays.
Barrett.	Kyle of Palo Pinto.
Beck.	Laird.
Bradley.	Latham.
Burns.	Lemens.
Butler.	Lindsey.
Calvert.	Long.
Canon.	Lotief.
Cathey.	Mackay.
Caven.	Mathis.
Chastain.	McClain.
Clayton.	Metcalf.
Colson.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Daniel.	Morrison.
Davidson.	Morse.
Devall.	Munson.
Dunagan.	Palmer.
Dwyer.	Pavlica.
Fain.	Puryear.
Few.	Ramsey.
Fuchs.	Reader.
Glass.	Reed of Dallas.
Good.	Renfro.
Greathouse.	Rogers of Hunt.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Scarborough.
Hester.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Smith.
Holekamp.	Steward.
Holland.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jefferson.	Turlington.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Wells.
	Winningham.

Nays—39

Anderson of Johnson.	McDougald.
Barron.	McGregor.
Bourne.	McKee.
Camp.	Merritt.
Crossley.	Nicholson.
Dean.	Parkhouse.
Fisher.	Pope.
Ford.	Ratliff.
Golson.	Ray.
Goodman.	Roberts.
Harrison.	Savage.
Hartzog.	Stanfield.
Head.	Sullivant.
Hill of Webb.	Townsend.
Hoskins.	Van Zandt.
Huddleston.	Vaughan.
James.	Walker.
Jones of Atascosa.	West.
Magee.	Wood.
	Young.

## Absent

Bedford.	Reed of Bowie.
Dunlap.	Riddle.
Graves.	Rogers
Harman.	of Ochiltree.
Holloway.	Tarwater.
Jackson.	Weinert.
McCullough.	

## Absent—Excused

Duvall.	Johnson
Engelhard.	of Dimmit.
Hunt.	Leonard.
Johnson	Patterson.
of Anderson.	Stinson.
	Stovall.

EXPRESSING SYMPATHY OF THE  
HOUSE TO THE HON.  
A. P. JOHNSON

Mr. McGregor offered the following resolution:

Whereas, The Hon. A. P. Johnson, an able, valued, and esteemed Member of this House, is critically ill in a hospital in San Antonio; therefore, be it

Resolved by the House, That it express to Mr. Johnson and his family its sincere sympathy for him because of his illness, and the hope that he may speedily recover and return to his place on the floor of this House, as his absence from the councils of this Body is a loss to the people of this State. Be it further

Resolved, That the Chief Clerk wire a copy of this resolution to Mr. Johnson.

McGREGOR,  
MATHIS,  
POPE,  
ANDERSON of Bexar.

The resolution was read second time.

On motion of Mr. Walker, the names of all the Members of the House were added to the resolution, as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson of Johnson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman,

Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Hollo-way, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, McClain, McCullough, McDougald, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pur-year, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, West, Winningham, Wood, Young.

On motion of Mr. Parkhouse, the resolution was amended so as to provide that a floral offering be sent.

The resolution was then adopted unanimously.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, January 30, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 93, by the following vote: Yeas, 30; nays, 0.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 49 ON SECOND READING

On motion of Mr. Alsup, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act to repeal Sections 14, 15, 16, 17, 18, 19, 20, 24, and 25, of Chapter 26, Acts of the Regular Session of the Thirty-ninth Legislature of

Texas, regulating the testing of automobile lights, and operation of motor vehicles, tractors, motorcycles, and bicycles in Texas, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 49 ON THIRD READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 49 be placed on its third reading and final passage:

The motion prevailed by the following vote:

Yeas—118

Adamson.	Hartzog.
Aikin.	Head.
Alexander.	Hester.
Alsup.	Hicks.
Anderson	Hill of Brazoria.
of Bexar.	Hill of Webb.
Anderson	Hodges.
of Johnson.	Holekamp.
Baker.	Holland.
Barrett.	Huddleston.
Barron.	Hughes.
Beck.	Hyder.
Bourne.	Jackson.
Burns.	James.
Calvert.	Jefferson.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Cathey.	Kayton.
Caven.	Kyle of Palo Pinto.
Clayton.	Laird.
Colson.	Latham.
Coombes.	Lemens.
Cowley.	Lindsey.
Crossley.	Long.
Daniel.	Magee.
Davidson.	Mackay.
Dean.	Mathis.
Devall.	McDougald.
Dunagan.	Mitcham.
Dwyer.	Moffett.
Fain.	Moore.
Few.	Morrison.
Fisher.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Pavlica.
Goodman.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Haag.	Ratliff.
Hankamer.	Ray.
Harrison.	Reader.

Reed of Bowie.	Steward.
Reed of Dallas.	Sullivant.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Rogers of Hunt.	Tillery.
Rogers	Townsend.
of Ochiltree.	Turlington.
Rollins.	Van Zandt.
Ross.	Vaughan.
Russell.	Wagstaff.
Savage.	Walker.
Scarborough.	Wells.
Scott.	Winningham.
Shannon.	Wood.
Shults.	Young.
Stanfield.	

Nays—1

Harris.

Absent

Bedford.	Lotief.
Bradley.	McClain.
Butler.	McCullough.
Chastain.	McGregor.
Dunlap.	McKee.
Graves.	Merritt.
Harman.	Metcalfe.
Holloway.	Smith.
Hoskins.	Weinert.
Jones of Atascosa.	West.
Kyle of Hays.	

Absent—Excused

Duvall.	Johnson
Engelhard.	of Dimmit.
Hunt.	Leonard.
Johnson	Patterson.
of Anderson.	Stinson.
	Stovall.

The Speaker then laid House Bill No. 49 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Adamson.	Clayton.
Aikin.	Coombes.
Alsup.	Cowley.
Anderson	Crossley.
of Bexar.	Daniel.
Anderson	Davidson.
of Johnson.	Dean.
Baker.	Devall.
Barrett.	Dunagan.
Bourne.	Dwyer.
Burns.	Fain.
Butler.	Few.
Calvert.	Fisher.
Camp.	Ford.
Canon.	Fuchs.
Cathey.	Glass.
Caven.	Golson.

Good.	Nicholson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Pavlica.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Renfro.
Hodges.	Riddle.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Huddleston.	Rogers
Hughes.	of Ochiltree.
Hyder.	Rollins.
Jackson.	Ross.
James.	Russell.
Jefferson.	Savage.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Scott.
Kayton.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Smith.
Latham.	Stanfield.
Lemens.	Sullivant.
Lindsey.	Tarwater.
Long.	Tennyson.
Lotief.	Thomas.
Magee.	Tillery.
Mackay.	Townsend.
Mathis.	Turlington.
McClain.	Van Zandt.
McDougald.	Vaughan.
Merritt.	Wagstaff.
Mitcham.	Walker.
Moffett.	Wells.
Moore.	Winningham.
Morrison.	Wood.
Munson.	Young.

Nays—5

Alexander.	Morse.
Harris.	Steward.
Kyle of Hays.	

Absent

Barron.	Holloway.
Beck.	Hoskins.
Bedford.	Jones of Atascosa.
Bradley.	McCullough.
Chastain.	McGregor.
Colson.	McKee.
Dunlap.	Metcalfe.
Graves.	Weinert.
Hester.	West.

Absent—Excused

Duvall.	Johnson of Dimmit.
Engelhard.	Leonard.
Hunt.	Patterson.
Johnson	Stinson.
of Anderson.	Stovall.

## RECESS

On motion of Mr. Anderson of Bexar, the House, at 12 o'clock m., took recess to 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Judiciary: House Bills Nos. 215, 244, 63, 61, and 62.

The Committee on Education filed an adverse report, with a minority favorable report, on House Bill No. 55.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 27, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring, killing, or possessing of any wild quail of any species within the limits of Commissioners Precinct No. 2, of the County of Karnes, State of Texas, for a period of five years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 28, A bill to be entitled "An Act to amend Article 6404, of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 114, so as to provide that persons who desire to marry shall procure from the county clerk a license directed to all persons authorized by law to celebrate the rites of matrimony, and that said license shall be sufficient to celebrate

such marriage, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 60, A bill to be entitled "An Act to amend Chapter 6, Chapter 26, of the Acts of the Third Called Session of the Forty-second Legislature, relating to the taking of fur-bearing animals in certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 66, A bill to be entitled "An Act providing for a closed season in Glasscock County, upon quail, doves, and pheasants, for a period of three (3) years; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 98, A bill to be entitled "An Act to amend Article 955, of the Revised Criminal Statutes of 1925, as amended by House Bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature, as amended by House Bill No. 179, Chapter 304, General and Special Laws of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh water streams of certain named counties, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 263, A bill to be entitled  
"An Act amending Section 7-j. of  
Chapter 13, Acts of the Third Called  
Session, Forty-second Legislature, and  
declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 87, A bill to be entitled  
"An Act to declare a closed season  
on the killing of blue quail, bob-  
whites, and doves in Yoakum County,  
for a period of five years, prescrib-  
ing a penalty therefor, and declaring  
an emergency."

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 129, A bill to be entitled  
"An Act to amend Chapter 137, of  
the Special Laws of Texas, Regular  
Session of the Forty-second Legisla-  
ture, and declaring an emergency,"  
(Relating to establishing a system of  
public roads and bridges for Bexar  
County, known as the Bexar County  
Road Law),

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 82, A bill to be entitled

"An Act amending Article 6954, Chap-  
ter 6, Title 121, of the Revised Civil  
Statutes of Texas, 1925, as amended  
in Chapter 245 of the Acts of the  
Regular Session of the Fortieth  
Legislature of Texas, as amended in  
Chapter 5, of the Acts of the Regular  
Session of the Forty-first Legislature  
of Texas, etc., and declaring an emer-  
gency," (With reference to the mode  
of preventing horses and certain  
other animals from running at large  
in the counties named so as to in-  
clude in said Article the County of  
Armstrong),

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 131, A bill to be entitled  
"An Act to establish and create a  
criminal judicial district and a crimi-  
nal district court for Bexar County;  
providing for the jurisdiction of and  
procedure in said court; fixing the  
time for holding the terms of said  
court; providing for the election,  
tenure of office, qualifications, duties,  
powers, and compensation of a judge  
of said court; etc.,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 140, A bill to be entitled  
"An Act repealing Chapter 50, of the  
Special Laws of Texas of the Regular  
Session of the Forty-second Legisla-  
ture of the State of Texas, known as  
House Bill No. 712, providing for a  
special road law in Lavaca County,  
Texas, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 104, A bill to be entitled  
"An Act to amend Sections 1, 2, and  
6, Chapter 148, of the General Laws  
passed by the Forty-second Legisla-  
ture at its Regular Session in 1931,  
relating to the authority of counties  
and incorporated cities and the Texas  
State Parks Board, separately, and  
in co-operation with each other, to  
acquire by gift or purchase, land for  
public parks, etc., and declaring an  
emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, January 28, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 121, A bill to be entitled  
"An Act to amend Chapter 6 of the  
Special Laws of the Acts of the Reg-  
ular Session of the Forty-second  
Legislature, providing for an open  
season or period of time when it  
shall be lawful to take or kill squir-  
rels in certain counties; providing  
penalties for the violation thereof;  
repealing all laws and parts of laws  
in conflict therewith, and declaring  
an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

#### FOURTEENTH DAY

(Continued)

(Tuesday, January 31, 1933)

The House met at 10 o'clock a. m.,  
and was called to order by Speaker  
Stevenson.

#### BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Alsup, House  
Bill No. 298 was ordered not printed.

On motion of Mr. Alexander,  
House Bill No. 219 was ordered not  
printed.

#### HOUSE BILL NO. 298 ON SECOND READING

On motion of Mr. Alsup, by unani-  
mous consent, the regular order of  
business was suspended to take up  
and have placed on its second read-  
ing and passage to engrossment,

H. B. No. 298, A bill to be entitled  
"An Act repealing Chapter 278 of  
House Bill No. 539 of the Acts of the  
Regular Session of the Forty-second  
Legislature (relating to farming in-  
dustry), and declaring an emer-  
gency."

On motion of Mr. Alsup, by unani-  
mous consent of the House, the  
Twenty-four-hour House Rule, which  
requires that the printed bill be placed  
on Members' desks twenty-four hours  
before being considered by the House,  
was suspended for the purpose of  
considering House Bill No. 298.

Mr. Alsup moved that the consti-  
tutional rule, requiring bills to be  
read on three several days, be sus-  
pended, and that House Bill No. 298  
be placed on its second reading and  
passage to engrossment and on its  
third reading and final passage.

The motion prevailed by the fol-  
lowing vote:

Yeas—117

Adamson.	Fain.
Aikin.	Few.
Alexander.	Fisher.
Alsup.	Ford.
Anderson	Fuchs.
of Bexar.	Glass.
Anderson	Golson.
of Johnson.	Good.
Barrett.	Goodman.
Barron.	Graves.
Beck.	Greathouse.
Bedford.	Griffith.
Bourne.	Hankamer.
Burns.	Harman.
Butler.	Harris.
Calvert.	Hartzog.
Camp.	Hester.
Canon.	Hicks.
Chastain.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Huddleston.
Crossley.	Hughes.
Daniel.	Hyder.
Davidson.	Jackson.
Dean.	James.
Devall.	Jefferson.
Dunlap.	Jones of Atascosa.
Dunagan.	Jones of Runnels.
Engelhard.	Jones of Shelby.